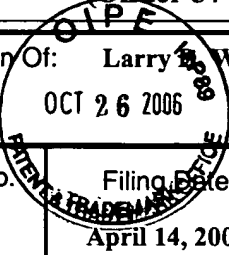


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|---|----------------|------------|--------------|----------------------------|------------------|
| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | | Docket No. 19746 | |
| In Re Application Of: Larry L. Ward, et al. | | | | | |
|  | | | | | |
| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
| 10/575,928 | April 14, 2006 | Unassigned | 23389 | Unassigned | Unassigned |
| Title: POXVIRUS VECTOR ENCODING RETROVIRUS (EG HIV) AND CYTOKINE | | | | | |
| Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | | | | | |
| 37 CFR 1.97(b) | | | | | |
| 1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. | | | | | |
| 37 CFR 1.97(c) | | | | | |
| 2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: | | | | | |
| <input type="checkbox"/> the statement specified in 37 CFR 1.97(e); | | | | | |
| OR | | | | | |
| <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). | | | | | |

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) and 1.97(c))

Docket No.

19746

In Re Application of: Larry D. Sward, et al.

Application No.

10/575,928

Filing Date

April 14, 2006

Examiner

Unassigned

Customer No.

23389

Group Art Unit

Unassigned

Confirmation No.

Unassigned

Title:

POXVIRUS VECTOR ENCODING RETROVIRUS (EG HIV) AND CYTOKINE

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile*

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| I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa | |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on | |
| October 24, 2006 | |
| (Date) | |
| Signature of Person Mailing Correspondence | |
| Xiaochun Zhu | |
| Typed or Printed Name of Person Mailing Certificate | |

Dated: October 24, 2006

Xiaochun Zhu
Registration No. 56,311
Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
516-742-4343

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Larry D. Ward, et al.

Examiner: Unassigned

Serial No.: 10/575,928

Art Unit: Unassigned

Filed: April 14, 2006

Docket: 19746

For: POXVIRUS VECTOR ENCODING
RETROVIRUS (EG HIV) AND CYTOKINE

Dated: October 24, 2006

Mail Stop PCT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

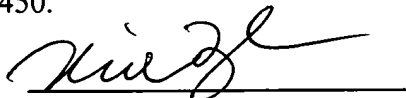
In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. PCT International Publication No. WO 00/28003, published May 18, 2000;
2. Kent S.J. et al., "A Recombinant Avipoxvirus HIV-1 Vaccine Expressing Interferon-Gamma is Safe and Immunogenic in Macaques", *Vaccine* 18:2250-2256 (2000);
3. PCT International Publication No. WO 2004/058278 A1, published July 15, 2004; and
4. Jiang W. et al., "Construction and Identification of Recombinant Fowlpox Virus Coexpressing HIV-1CN gp120 and hIL-6", *Chin J. Microbiol Immunol* 23(6):414-417 (2003), Chemical Abstracts 141:151863.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 24, 2006


Xiaochun Zhu

The references were cited in an International Search Report dated December 21, 2004 received from the Australian Patent Office. Applicants are submitting a copy of the above-cited references. Applicants previously submitted a copy of the International Search Report on April 14, 2006. The relevance of the above-identified references has been described in the International Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Xiaochun Zhu', written in a cursive style.

Xiaochun Zhu
Registration No. 56,311

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400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343

XZ:dg

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| INFORMATION DISCLOSURE CITATION <small>(Use several sheets if necessary)</small> | | | | Docket Number (Optional) 19746 | | Application Number 10/575,928 | |
| | | | | Applicant(s) Larry D. Ward, et al. | | | |
| | | | | Filing Date April 14, 2006 | | Group Art Unit Unassigned | |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|-----|-----------------|------|------|-------|----------|-------------------------------|
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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| U.S. PATENT APPLICATION PUBLICATIONS | | | | | | | |
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| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|-----|-------------------|---------|---------|-------|----------|-------------|----|
| | REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
| | | | | | | | YES | NO |
| | | WO 00/28003 | 5/18/00 | PCT | | | ✓ | |
| | | WO 2004/058278 A1 | 7/15/04 | PCT | | | ✓ | |
| | | | | | | | | |
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| OTHER DOCUMENTS | | <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i> |
|-----------------|--|---|
| | | Kent S.J. et al., "A Recombinant Avipoxvirus HIV-1 Vaccine Expressing Interferon-Gamma is Safe and Immunogenic in Macaques", Vaccine 18:2250-2256 (2000) |
| | | Jiang W. et al., "Construction and Identification of Recombinant Fowlpox Virus Coexpressing HIV-1CN gp120 and hIL-6", Chin J. Microbiol Immunol 23(6):414-417 (2003), Chemical Abstracts 141:151863 |

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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.